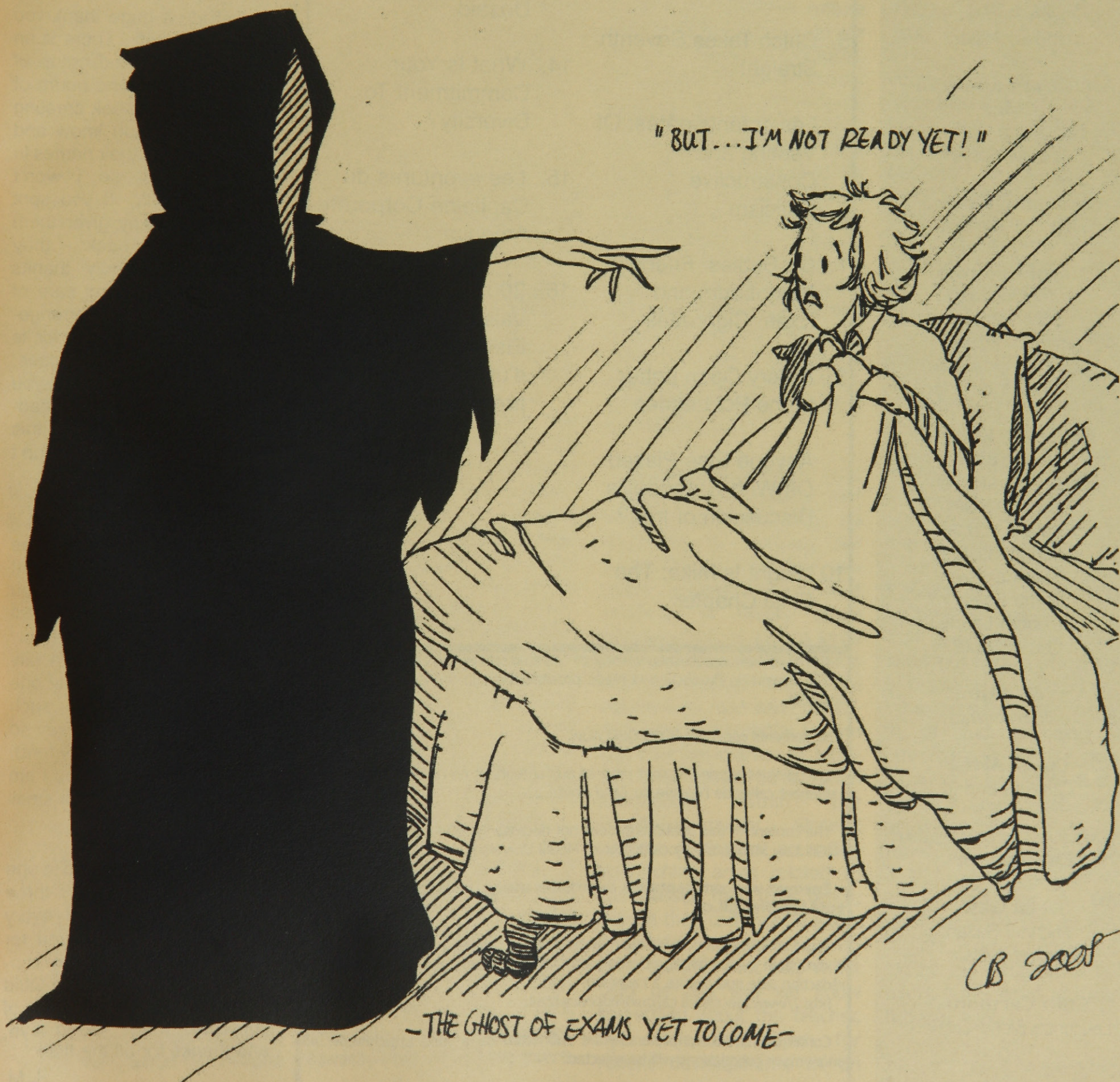


QUID NOVI

McGill University, Faculty of Law
Volume 26, no. 12, 29 November 2005



QUID NOVI

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The *Quid Novi* is published weekly by the students of the Faculty of Law at McGill University. Production is made possible through the direct support of students.

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Envoyez vos commentaires ou articles avant jeudi 5pm à l'adresse: quid.law@mcgill.ca

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Contributions should preferably be submitted as a .doc attachment. All anonymous submissions will be rejected.

EDITORIAL

Welcome to the last Quid of the year! It's been a great run, and before I head off into the wild blue yonder (otherwise known as 'life after law school'), I'd like to say a few thank-yous.

Don't worry - this won't be like the Academy Awards (I hope!).

First of all, a huge thank-you to the Quid staff. There is an incredibly dedicated group of students who spend hours of their time each week creating the Quid that you know and love - you'll find their names in the masthead, so I won't name them all. If you spot one in the hallway, given them a pat on the back - they deserve it. Secondly, thanks to the LSA for taking care of the Quid's financial arrangements, and to Quebecor for its excellent printing services. Finally, the biggest thank-you goes to you: without the readers and contributors in this Faculty, the Quid wouldn't exist.

I like to think of the Quid as a communal space, where the heart and soul of our student body is brought to life. You should be proud of the fact that McGill is one of the only law schools with a Faculty newspaper, and the only one which publishes with such regularity (and, if I do say so myself, quality of content). The Quid is unique, and I am proud to have played a small part in its existence.

I've worked on the Quid in one capacity or another for three years, and I've loved every minute of it. Thank you for reading my somewhat random contributions to the Quid over this term. In the words of someone wise, 'Good bye, and thanks for all the fish!'

-L.M.

BRIDGING THE EXTREMES: Why We Need to Discuss Our Faculty's Mental Well-Being

by Lisa Schneiderman (Law III)

Like many, I was amazed by last week's *Quid Novi*. For me, the discussion it led to around the faculty reinforced the immediate need to discuss our mental well-being.

While I had a variety of conversations with other students, reactions seemed to range between two extremes. On one extreme, there were a large number of students who already knew the seriousness of the problem. They had lived it themselves. They were grateful that it was being raised and consoled by the many who seemed to experience the same situation. On the other extreme, students seemed to find the *Quid* inappropriate and hoped that it did not increase the stress level of first year students. They also seemed to feel that complaining would not bring forth a solution and in actual fact, not much could be done.

There are a few things that I would like to clarify. Firstly, students who feel that mental health is a serious problem in our Faculty do recognize that there are many good things about our Faculty. If they didn't, they wouldn't be here and they wouldn't make the effort to improve the situation. Secondly, they are not advocating a complete alteration of McGill into a touchy-feely environment. Nor does it imply that every stressed student be sent to mental health services, put on medication or released

from work commitments. In fact, it means intentionally leaving many things in their current state and approaching the problem with an awareness that there is no one perfect approach to learning.

What those committed to raising the issue of mental well-being in our Faculty are trying to accomplish is an environment where more people can succeed without having to feel as overwhelmed and alienated in the process. Raising awareness through articles in the *Quid Novi* has already done an excellent job of reducing the alienation that many students feel. Part of a long-term solution might be to create a file of articles/testimonials written by students and make it available for other struggling students to read. Knowing that other people have and continue to experience the same difficulties does not imply that something is fundamentally wrong with the school, but it would help a struggling individual to not question their entire identity when they begin to feel disinterested in law and constantly question their future goals.

From my conversations, it seemed that the people who were opposed to the mental well-being initiative were only citing that stress is a reality in the world and in many professions as a side note. In fact, they are very sympathetic towards their struggling peers.

The real issue seemed to be that there wasn't anything that could be done. Our Faculty just doesn't have the resources to provide advisors and counselors. Good or bad, it's a research institution. I won't disagree, resources seem to be a part of the problem. But it shouldn't be given so much credit or allowed to inhibit change.

Perhaps our research culture can be turned into one of our Faculty's teaching strengths. For some students it already is, as those who work for professors gain beneficial experience. They engage with material in an area of interest while improving their research and analytical skills. Basically, they get to learn while feeling like they are doing something practical and for many, it is the first time they enjoy the law. (Legal clinics and clerkships have the same effect of engaging students and it energizes their decision to continue studying law).

If funding issues require us to have a research culture, then research is something we must use to enhance our entire Faculty. Yet few students actually know what research is taking place because there is such a large distance between the students and the faculty. We should not have to read each professor's online biography to find out their basic areas of interest, they should be common knowledge within our Faculty/community. Since I assume professors are often researching areas related to the classes that they teach, maybe they can include some anecdotal information into their classes. Not only will it help us feel like we know something about the teacher, but their enthusiasm for recent developments in an

area will help us get excited about learning the basics. In the short term, to overcome the gap between professors and students and to help students feel engaged with some current legal issues, maybe several Wednesday 12:30-2:00 pm activity periods next semester could be set aside to meet our professors. Those who volunteered could give 10-15 minute presentations on their current research interests.

Personally last week reinforced the importance of having a serious mental well-being discussion in our faculty because we already have many of the resources that we need to improve the situation. Caring professors and administrators, a diverse student body and unique legal atmosphere that can make space for a human element between the theory and practice of law. Funding is not the solution for a problem about building a community atmosphere. What we need is dialogue – a conversation that questions everything, identifies our weaknesses and turns them into strengths.

I do not think that our mental well-being problem results from too many competitive or ambitious people being placed in the same building. I do not think it results from the majority of students being at a crossroads in their life. Nor do I think it is inevitable since we are in a law school. If you actually start to think about these oversimplified causes, they do not make sense or apply to our situation. What I do know is that there are far too many great people suffering far too much for us not to address this issue at an institutional level.

I am not trying to advocate ►

that everyone has a serious problem and I know there are some people who handle the stress of law school well (to those who do, please submit suggestions how). However, many of us feel that we can only do so by disengaging with the process. This does not mean just lowering our grade expectations, but expecting to not be interested for several years. It's a tall task for those of us who need to because we came to school to learn.

If you doubt that mental well-being is not a serious issue that we need to discuss, then all I ask is that you please consider your own mechanisms (and those of your friends) for dealing with law school stress. Do you regularly feel an overwhelming need to drink? How many cigarettes do you smoke a day? How much coffee do you drink each day to stay awake in order to finish all of your work? Do you work all of the time or not engage in extra-curricular activities because your marks/career goals will suffer? Or are you the type of student who will not spend an additional second at school after your classes? We all approach our mental well-being from different angles and while some of us are suffering more than others, I am certain that there is a way we can work together to improve the atmosphere in our faculty.

MENTAL HEALTH: A Few Suggestions for the Next Step

by Will Paterson (Law IV) & Christine Stecura (Law IV)

Thank you to those who wrote in last week's Quid – they should be commended for starting an important dialogue at the Faculty. The bravery and honesty in those articles resonate with all of us and should not be overlooked by the Faculty. We think now would be a good time to set-out a few concrete suggestions for how these ideas can be realized practically.

Change must come from within each individual. Since the Faculty can only alter certain elements of structure, our source of confidence and support should be ongoing in our own personal development. Seeking help from others, be they family, friends or professionals is an important part of that process. However, there are some simple, discrete actions that Faculty and students can take to alleviate much unnecessary stress within the Faculty of Law. Here are a few ideas:

"Wall of Shame": Let's get rid of that first-year, first-term marks sheet outside of Pino's. It would be just as easy to give each student a list of their first-term grades. Why should our first law term evaluation be a spectator sport?

Grades & Blackett Report:

Let's implement the Blackett report (which used to be on the Faculty's web site). This is a report Professor Blackett wrote a few years ago regarding grading at the Faculty; there is no legitimate reason for grades to be kept arbitrarily low if students are producing work that is, on average, very good or excellent. If the Faculty has a legitimate reason for keeping grades low – let's hear it. However, the present system creates unnecessary stress and puts us at a significant disadvantage when looking for employment. This is compared to students from other distinguished law faculties with whom we compete. It just isn't true that most employers know that McGill's grades are kept artificially low.

OCI Bullpen: For those seeking law firm employment, OCIs are a very stressful, but inevitable experience. Two ideas. First, the Toronto OCI experience is particularly horrifying: students wait outside the CPO to find out which firms they, and everyone else are going to interview with. That means that all students know how many interviews everyone else received – creating the perfect environment

for competition. Why not make it similar to the New York OCI process where students are sent an e-mail stating at what firms and at what time they are interviewing? Second, Professors should be more flexible with their students during this period. Many schools are given a week off, or the process begins prior to the commencement of class. Yet, at McGill, some of our professors schedule exams and paper deadlines during and immediately following OCIs. We're not advocating that education be subject to firm interests, just that a modicum of consideration be shown to students.

Advisors / Career Counselling: We need them. This is clear after last week's Quid.

Evaluating Mental Health Services: The answer to mental issues at the Faculty isn't just to refer students Mental Health. Do we even know if Mental Health is doing a good job? How many of our students tried to use their services and were turned away? Do they know anything about particular stresses of the legal profession? And, is medication being over-prescribed? We need to examine the prevalence of people who are on anti-anxiety/anti-depression/anti-insomnia medications at the Faculty.

We all have an interest in improving quality of life at the Faculty. Let's get started. ■

This is our last issue of 2005.
Congratulations to all graduating students!
We'll see the rest of you in January.

CHICO TAKES SEVENTH STRAIGHT

by Michael Hazan (Law IV)

Chico Resch transformed a 1-0 deficit into a 4-2 victory over Optimus Prime for their seventh straight win last Sunday. Nat Brand and Steve Gough led the way with 2 goals apiece to ensure a battle of the unbeaten with the Medmen.

Gough broke out of his mid-semester slump with two highlight reel goals. "Honestly, I can attribute my performance to my recent trip to Wisconsin. After visiting the famed Lambeau Field and seeing the frozen tundra where Lombardi, Nitschke and Favre left their mark, I knew I had to step up my game," said Gough after the game.

Brand was his usual shy self, stating that his performance was based on his standard breakfast of Wheaties and Molson Ex. Despite missing a number of key regulars, Chico played a decent forty minutes of hockey and avoided receiving a suspension for just the third time this season.

Now, the focus shifts towards the Medmen and who will go into the holiday break undefeated. After reading that disgrace of a hockey article in last week's Quid, Chico's defensive corps has vowed to keep Jeff "Thurman Murman" Derman (Law III) off the score sheet. Under strict orders from Captain Leggett, no more fuel will be added to this fire, the Faculty rivals will face-off on the ice November 27th. ■

LES ENFANTS GÂTÉS: Of Venting and Constructive Criticism

by François Beaudry (Law II)

Vous êtes dans un camp de jour et votre groupe joue au ballon-chasseur. Vous détournez votre regard de vos ouailles pour vous poser une question à la monitrice de l'autre groupe. Quand votre attention revient sur le terrain, vous voyez un des enfants s'éloigner du groupe en pleurnichant.

Il s'agit fort probablement d'un enfant-roi qui ne reconnaît pas avoir été touché par le ballon et qui a appris, avec ses parents-courtisans, que certaines façons d'obtenir ce que l'on veut sont plus efficaces que d'autres. Vous voudriez bien le laisser épuiser ses larmes sans faire attention à lui, mais vous doutez. Vous êtes responsable. Quand l'enfant pleure, vous devez accourir et lui demander ce qui ne va pas. Ça doit être une de ces règles non écrites! Ah! Il faudrait codifier l'enfant, et ça urge! Dans tous les cas, vous devez vérifier, parce que vous ne savez pas s'il s'est fait mal ou s'il pleurniche seulement parce qu'il est un enfant gâté. ...ou peut-être se plaint-il parce que le ballon l'a pincé mais qu'il ne l'a pas touché! Ah, que les enfants gâtés sont difficiles à comprendre! Ils ne se battent pas souvent mais se plaignent constamment.

Le problème, c'est que vous et moi, étudiants de la Faculté de droit, sommes des enfants gâtés. « Ce sont de choses

qui ne se disent pas! Il se projette sur les autres! Je ne suis pas un enfant gâté, et pour commencer, ce n'est sûrement pas à lui, qui sort du Cégep, de me traiter d'enfant! » Retenez un peu vos réactions... Si cela peut contribuer à l'image que vous vous faites de votre propre personne, parlons plutôt de personne privilégiée. McGill Law students are overprivileged, and that can be proven to be true without even alluding to the socio-economic background of most students.

We are all in university, and most of us already have at least a first university degree; some even have a Masters or a PhD. Each of us is one of 990,385 Canadian students attending university this year (according to Statistics Canada). I know this doesn't seem very elite to anyone. We have grown accustomed to the idea a long time ago. The only fact that having a college degree is considered "normal" for us is telling. We enjoy classes of very high quality at a price substantially lower than the Canadian average, especially if we're from Quebec. The fact that we're privileged to be here becomes even more obvious when you look at many people our age who couldn't get into university and at all the people who haven't really chosen their career but have ended up taking the only job they could get. The legal world may not

be as fascinating as some people would have imagined before coming to law school, but at least everyone is here by choice.

Quand les enfants gâtés récriminent, il faut parfois séparer le pleurnichage d'enfant gâté des vraies blessures et des réels problèmes qui méritent notre attention. Les dernières éditions du Quid sur la santé mentale des étudiants de droit soulèvent d'importantes questions. Il est essentiel qu'il y ait un débat sur ces questions. Cependant, il faut se garder de traverser la ligne entre un débat raisonnable et un forum où l'on se plaint des failles de l'institution, du droit, du raisonnement juridique, de l'habillement des professeurs sans faire la part des choses et sans rendre justice aux éléments extrêmement positifs de cette faculté, car il y en a et ils sont nombreux.

Outsiders reading the last Quid could really believe that we are a seriously rotten lot (not that I really mind if they do, since I know it is not true). Let me be a dissenting voice (something very positive we can learn from law school but that no Quid writer has put in effect in last week's edition: singing in unison against the "establishment" is not dissenting.) I will attempt to cast a few elements of our school in a different light, working from the anonymous posts from the "venting". In doing so, I hope that I speak for a silent majority that truly enjoys this school, even though this same majority tends to forget it as the end of the semester is coming around the corner.

"Why should I spend time writing detailed teacher/course evaluation when all I get from the ▶

teacher is a letter?"

My experience in law school so far has shown me that we don't get only a letter, even though that is the only thing some people are interested in. All the papers I have written since I am at this Faculty have come back with comments, which were often quite lengthy. I probably need more corrections than most... With regard to exams I have consulted, it is true that they weren't always heavily annotated, but let me tell you that when I talked to professors about them, they had a lot more than a letter to talk about. Let's be fair to professors: they come in all styles and shouldn't be treated as a monolith. I would even say that the vast majority of them are not only extremely competent but also truly interesting. They must be saddened by many things they read in this paper, since I believe most of them are truly committed to providing us with the best possible education.

As for the 17 multiple choice questions worth 50% of your grade, I am very sorry and understand your frustration, my friend. However, can it honestly be said that this is representative of examination at the Faculty? When we look at students from other faculties, who will probably spend their three undergraduate years writing (or darkening) only multiple choice exams, I believe we ought to be grateful for the time and effort our professors spend in creating and correcting our exams. They may not be perfect, but not giving us enough blank booklets to express our ideas in an original way sure isn't one of their most noticeable weaknesses.

"Chill out everyone! There's so much more to life than law school! Live life and enjoy it!"

Of course. But does that mean there is nothing to be enjoyed in law school? Am I really one of the crazy few who enjoy this place, its lectures on very diversified subjects, its great student body, the originality of professors? (If you complain about McGill being dry, you should probably ask your friends from the Sherbrooke Bar Preparation (Law) School if they ever had a course like Foundations.)

As for advisors, the Faculty probably has no designated person, but it is fair to say that it has more human resources than most faculties in Quebec. We have our own CPO. U de M students have no law school-specific CPO and must go to the general CPO. Have you ever been to the fourth floor and actually tried to ask someone to whom you should ask your questions? I am sure many people could answer them. You might even not have to go up to the fourth floor; as I'm writing, Thomas Chalmers is a few feet away, at Coffeehouse! I'm sure he can tell you to whom you must ask your questions.

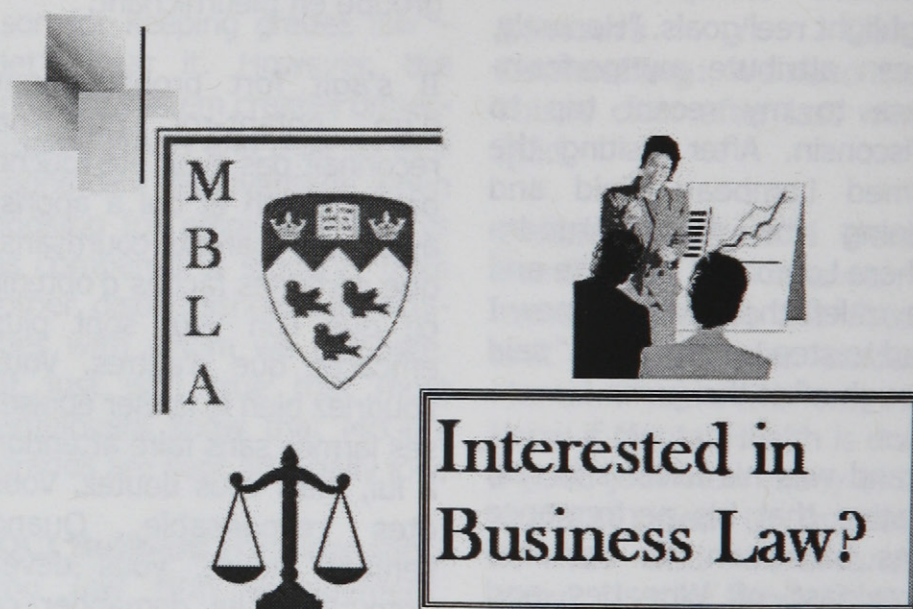
As for the complaints about classes and career days failing to answer students with strong political and social commitments, I would like to point out that the CPO, under Brigitte Saint-Laurent's direction, made considerable efforts to develop a career guide in public interest law. It's probably the fault of the employers if public interest law is not so well represented at career days.

In the end, if this Faculty is really sooooo terrible and

cannot be fixed, you should probably consider trying other law schools, or another discipline. If you think it can be reformed, please be sincere in your criticism and ask yourself what you can do for your Faculty. (Which doesn't exclude the possibility of asking your Faculty what it can do for you.) If we believe that it is morally objectionable to attack people personally under the cover of anonymity, let us think twice before doing the same thing to this Faculty, since it is not only a system. It is run by people who have invested years of their lives to make it a good living environment, and who are

way more receptive if we come to them with a fair assessment of the facts and with workable solutions to improve this law school. I sincerely hope that this article will not attract the ire of students who feel pointed at; my only aim was to put things into perspective. We shouldn't kill a lively debate that could turn out to be very productive provided it proposed solutions for every problem it raises. We have a right to constructive criticism. In fact, it's probably a duty.

...mais de grâââce, ne faisons pas nos enfants gâtés ! ■



The McGill Business Law Association offers insight into Business Law through:

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- ♦ Lectures by lawyers, business leaders, and professors from the Faculties of Law and Management
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ON BABIES, FRIENDLY NEIGHBOURS AND EXAM CIGARETTES

by Soizic Reynal de St Michel (Law IV)

I could be having a hard time this fall. Not because I have to write about 80 pages worth of miscellaneous papers before the 14th of December, nor is it because it's been a particularly wet season. I have to admit it, I am extremely vain. The reason why I could be freaking out is because I am going to turn 30 while writing my papers. As a matter of fact, according to my pre-planned schedule of paper writing, I will be precisely working on my self-inflicted IP term essay. Oh, well, what's the big deal? I'll tell you what's the big deal. I have been a university student since I was 17. My only work experience is academic related and fell in the category of scholarships: I was a T.A for 5 years. When I met my husband, my now father-in-law asked me when I would graduate and I told him in good faith: "Oh, another two years". That was almost 8 years ago. Sometimes I wake up at night and I hear voices echoing "eternal student, student, student". I have grown almost ashamed of showing my ISIC card on the train and asking for the 10% rebate at Provigo (still show my card though!). However, all things considered, I am not having such a hard time, all things considered. That's because I have amazing friends here but we almost all do. It's also because I have my son with me, a 22 months old happy and energetic toddler.

* Disclaimer* Those of you who know me and are tired of hearing me brag about the joys of parenthood, consider yourselves warned and move

on to the next article. **

In my class, about 6 babies were born (or about to be – congratulations to the very beautiful young lady who will recognize herself) during the course of law school. That added to the children already born to other colleagues before starting law school. I was pregnant in second year, took the winter and summer "off" and came back to Montreal for my third year with a beautiful bundle of joy (like I said, I brag a lot about him). That's exactly what my son is and that's my point here (yes there is one). Like they've asked Debbie Mankovitz, people have asked me a number of times how I do it. Depending on my mood, I have the choice between two answers. The first one is similar to Debbie's: "I don't know, I just do it." I can't conceptualize any alternative, so I do it and make the best of it.

My other answer, which I know also Debbie agrees with, is more elaborate and definitely more enthusiastic and it's the real one. I consider myself lucky for having my son now because he is making the stress of school so much more bearable. He is keeping me grounded, healthy, in line, happy and forces me (gently) to put things into perspective and keep it sane. My husband and I have been geographically separated since my first year in the falls and winters because his job and his connections are in southwestern Ontario. I won't lie about it, the separation sucks. There is no other word to say it. And it will be a new adjustment

when we move back together for good in May. But all in all, I am lucky. I am realizing it fully this week, since my son is with my husband for the month of December, leaving me to my own stress devices. My neighbor has already started taking pity on me and bringing food over. Worst of all, once again I've bought my exam season pack of cigarettes.

None of that when Étienne (my son) is around. Caring for him is not work for me, it's one of my passions. Every day, at about 4:30-5:00 I get to pick him up at daycare. As soon as he sees me, no matter how much fun he is having, he has some sort of over enthusiastic reaction. "Mama! Mama!" (add the big smile and the running towards me). Like I am some sort of super being. No matter what happened at school that day. Even if I only managed to read one case all afternoon, didn't find anything for my Advanced Crim paper or had my self-esteem crushed again for some stupid reason... from that moment on, I am truly happy. We go through the ritual of saying good bye to everyone, putting on the shoes ("Étienne, viens mettre tes chaussures, Étienne... viens mettre tes chaussures! On y va! Étienne..."), putting on the coat and hat (repeat above brackets), retrieving the stroller, loading backpack and computer on it, giving Étienne his banana ("nana! nana, Mama, nana!") and walking home. We walk fast if Étienne agreed to get in the stroller or at the pace of his little legs and sudden urges for detours and stops if he decides he is big today... Once we get home, there is the necessary burst of laughter on the couch because I am tickling him (and stealing a kiss every two seconds) or because we are dancing to the *Kill Bill* soundtrack

or the new Louise Attaque album. Then we have a nice healthy dinner – I am the mother, so I must give him vegetables (which he eats) and other good food – then he has his bath, watches a bit of Caillou, we read a story or two, and he takes soother, stuffed bunny (Mr. Grabs) and monkey (Babi) to brush their teeth (!) and his and then he goes off to bed, with no fuss – actually quite willingly. By the time he is in bed, I've had a nice three hours break with my son, we laughed (or not), we kissed and smiled a lot. I can't say that I am always feeling like studying after that. Sometimes I just slouch or go to bed by 10 p.m. because we wake up so early. At least I know I will get a bare minimum of smiles, kisses, hugs and good feelings every day. I know that on week-ends I can only study during his naps, the rest of the time we have to go out for walks, fun and games. He keeps me sane and balanced, he helps me keep week-ends for what they are supposed to be: a break. Plus, when I think about it... an entire week-end on my own with him makes me look forward to Monday and reminds me that I am definitely not meant to stay at home and that I am doing all this for the right reasons.

Sure I blow my entire babysitting budget on the weekly night class I have, so forget about movies, drinks, Coffee-House... Some days I wish I could sleep in once a month. Some days he drives me up the walls. I've had to skip class right when I was actually looking forward to going, because he has a fever or a stomach flu. I've already had two or three colds, courtesy of daycare, since September. But all in all... my turn to ask you : how do you do it, without a child? ■

A VERY OPEN LETTER TO THE PQ LEADER

by Timothy Wood (Law I)

André Boisclair, you have seduced me. Like Anthony with Cleopatra, Malinche with Cortez, my patriotic allegiance gives way in the face of you. Reason is out the window.

There are various explanations for the interest you arouse generally. Your relative youth, your circle (which I gather includes Michel Tremblay, one of the French-speaking world's most celebrated authors), your status as the continent's first openly gay political party leader. Even your past indiscretions point to a dynamic, rounded personality. Some are drawn to your toothy grin, your boyish face – what the *New York Times* calls your "matinee idol good looks."

But for me it isn't about those things. People don't really go to matinees or have idols any more. At any rate, it isn't solely about those things. It is more sophisticated than that.

It started with a vague stirring. To the extent that I had given it any thought, I always identified as a straight and narrow federalist. Now I see that the awakening began when I moved to Quebec, in August: I was struck by the sheer difference of the place,

resolute against the odds. Underdogs and minorities have a sympathetic appeal. They have that much, at least, on the complacent majority.

And then I saw you, for the first time, in an interview. The download far outsized the grainy videos I usually watch – they only last 10 seconds and I play them on loop because the full versions aren't free – which should tell you something about my level of commitment.

The topic was separatism, of course – you call it sovereignty, one of your endearing rhetorical subtleties – and, for once, I listened. You weren't wrinkled like the other ones. To surrender to your vigour was thrilling in an edgy way, carrying with it a hint of treachery. How often does a person get to feel seditious these days? It's a seventeenth century sentiment.

My federalist friends dismiss this all as a phase, tracing it back to my purchase of a *fleur-de-lys* key chain. But what you have made me realize, ironically, is that there is a middle ground even on the divisive unity question. What happens, happens. If you are the victor, let me be a spoil. ■

ANYONE ELSE PISSED OFF WITH GREEN DAY'S DISCUSSION OF IRAQ?

by David Perri (Law IV)

Since the release of its 2004 effort, *American Idiot*, Green Day has experienced a resurgence in popularity, rivaling even the heights attained during its 1994 heyday. The old adage in the music business is that timing is king and Green Day, more than any other band in recent memory, has become the physical manifestation of such a maxim. *American Idiot* is an attempt at socio-political critique in the form of a rock opera targeting, as its title implies, George W. Bush and his government's foreign affairs policies. Through five singles (in order of release: "American Idiot", "Boulevard of Broken Dreams", "Holiday", "Wake Me Up When September Ends" and "Jesus of Suburbia"), Green Day has inexplicably become America's social harbinger, providing a moral compass for mainstream music audiences who discern no further than MTV or Clear Channel-owned radio.

Aside from the prima facie ridiculousness of an irreverent punk band like Green Day putting together a rock opera, the fact that Billie Joe Armstrong (guitars/vocals), Mike Dirnt (bass) and Tre Cool (drums) are now revered as social commentators is, quite simply, absurd. Though I count myself as an old-school Green Day fan (the group's 1995 effort, *Insomniac*, is my favourite Green Day record), I listen to Green Day because its early

material is just really good mid-'90s punk rock. It makes me feel distinctly California, and as soon as "Stuart and the Ave.", "Armatage Shanks", "Burnout", or "Hitchin' A Ride" advance their power-chord attack, I'm back to Airwalk shoes, wristbands and wallet chains. That's where Green Day's existentialism stems from, alongside other SoCal punk a la NOFX, Rancid, Pennywise, Bad Religion, Operation Ivy or early Blink 182 (before that band decided to delve into writing about divorce). So, forgive me for being perplexed that Green Day is now considered the auditory version of Noam Chomsky; this assertion is like postulating that Good Charlotte will one day have something important to say (which is doubtful, though the band has reached out for intellectual status via its latest record, *The Chronicles Of Life And Death*).

To be plain, I'm anti-Bush. I am, and always have been, against the US invasion of Iraq. So, it logically follows that as a Green Day fan and Bush-as-Western-terrorist believer, I'd embrace *American Idiot* as some sort of second coming. I guess in a sense I'm heartened that Green Day has decided to address social issues and, as such, is bringing consciousness into the lives of suburb-dwelling teenagers the US over. However, just because ▶

Legal Cat Fight

The city council of Tangent, Oregon was evicted by a cat. The council had been meeting in the house the feline-ist inherited when its owner died. But when city council members refused to help pay for a new furnace, the cat's lawyer gave them the boot. Under the terms of the cat-owner's will, the city will get the house when the cat has used up all of its nine lives.

the members of Green Day one day woke up and decided to pay attention to major world events doesn't make the group insightful in any way. It certainly doesn't give the band any kind of moral standing.

There's got to be more than being a social critic than simply knowing what's going on. Every article printed on Green Day since *American Idiot's* release (the band even made it on to the cover of Rolling Stone) has told the story of these Oakland residents transforming into intellectuals intent on disseminating a political message. And while that was once punk's original mandate witnessed via the Clash's "I'm So Bored With the USA", "White Riot" or "The Guns Of Brixton" (I won't even dignify the Sex Pistols with mention here, because that band wrongly gets all the credit for the British punk movement), Green Day is no 21st century Clash. Hell, Green Day's recent output isn't even a 21st century Frankie Goes To Hollywood.

OK, maybe that's a bit exaggerated.

Let's take a look at some of the lyrics found on *American Idiot*, shall we? From the title track:

Don't want to be an American Idiot, Don't want a nation under the new media. And can you hear the sound of hysteria? The subliminal mindfuck America. I'm not a part of a redneck agenda. Now everybody do the propaganda. And sing along in the age of paranoia.

From "Holiday":

I beg to dream and differ from the hollow lies, This is the dawning of the rest of our lives, On holiday. Hear the drum pounding out of time, Another protester has crossed the line. To find, The money's on the other side.

What's currently being billed as a revolutionary manifesto (Joe Strummer is spinning in his grave, no doubt about it) is nothing more than bad high school poetry, plain and sim-

ple. And nevermind that on the musical front "Boulevard Of Broken Dreams" is part Avril Lavigne harmony (from Avril's "My Happy Ending") and "Jesus Of Suburbia" rips off one of *Jesus Christ Superstar's* central musical scores (note: thanks to Emily M. for pointing those out). But I digress.

Has the US become so repressive in regard to dissenting opinion that Green Day is the only recognized form of protest? Must one always 'support the troops,' despite only wanting those very same men and women to come home and be far away from frontlines that were illegal and without basis to begin with? Why is not supporting an invasion in Iraq un-patriotic? Isn't protest the most patriotic activity you can engage in?

Those are old questions, queries that have been addressed innumerable times over the last three years. The point of this article isn't to once again discuss those

aforementioned issues. I guess what's troubling is that America's state of affairs have been become so mangled that Green Day's flimsy, look-at-me-I-can-read-the-newspaper analysis is taken as true critique. Has America, the supposed bastion of freedom, sunk so low that Green Day is considered an intellectual band?

They say the truest arbiter of a society's priorities is what's valued and reflected in its popular culture. It's a sad day when Green Day is whisked into the annals of academia on the simple basis of deciding to follow the headlines of major media outlets (and those headlines aren't subtle... they're everywhere and usually read "AMERICA IN IRAQ"). As a law student, I'm obligated to worry about the proverbial slippery slope and those troublesome floodgates. Ergo, what's next? Hillary Duff heralded as a Steinem-inspired feminist because her new track is called "Girl Can Rock"? ■

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RIGHT IS MIKE: The Final Chapter

by Michael Hazan (Law IV)

After three and a half years of law school, I have to say I have very few regrets about my experience at McGill. I had some great classes, met many extraordinary people from within Canada and around the world, and participated in many events at the Faculty. Of course, besides wanting to obtain two law degrees from a world-renowned institution, winning that elusive ball hockey championship was at the top of my list of things I wanted to achieve before graduating. After seven attempts with Force Majeure and Rehnquist, I guess it just wasn't meant to be despite some amazing efforts.

What I am proud of is what I got out of law school. I had an amazing time and got the most out of law school by giving back. Writing over 35 articles for the Quid, playing sports, going to Law Games and being involved in the LSA (how did that happen anyway?) is what made the rigour of class that much easier to take. Reading the last couple of issues in the Quid about mental health made me realize

that being involved and understanding that there was more to law school than just studying, gave me the necessary balance I needed. By taking that weekend to go to Vermont to play in a hockey tournament with Chico Resch, watching the Habs play and going to see a movie after a strenuous Common Law Property class put a lot of things into perspective. It gave me the necessary mental time-outs in order for me to tackle what I had to do in terms of studying for exams and writing essays.


Granted, I did have a great support system in my family and friends and it is important to have people you can talk to when there is so much work or you are struggling with a difficult legal concept. I wanted to say thank you to all those who took time to listen and guide me. Thanks also to the sports teams I played on because it was the best possible distraction I could have had. Thanks to the Law Games crew because January would not have been the same without being sick for an entire month. Last but not least, thanks to

Unger, Gordo, Sass and countless others for trying to make an effective case for the left wing.

What is not surprising is that I have just as many questions about law school now that I am graduating as when I started. Questions still torment me such as: Why do so many law students who profess to be left wing go work for major corporate law firms? Why does Professor de Mestral have the only moustache in the faculty? How come more law students don't say thank you to the hard working people at McGill Law, namely the OUS, CPO, Dean's office,

Admissions, LSA, building services and professors? Why hasn't the stair in the East corridor (between the second and third floors) of the library ever been fixed? Why is Professor Provost always smiling? Why doesn't the whole faculty come out to Coffee House?


I guess there are just some things that are never meant to be known. One thing I do know is that I will always look back at my years at McGill with a sincere fondness, except maybe for Shelley's rule, the freezing classrooms and that whole SSMU thing. ■



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--Thomas Hood (1799-1845)

THE SUNSHINE ARTICLE

by Alison Glaser (Law I)

I'm tired. I feel like I've been in school forever. I've had two days this week where I've gone from 10 until 4 with only a 20 minute break. I've had it. I just want to take a bath, get a massage and eat some chocolate. I also want to get some sleep. I know that I am not alone in this feeling. Eating chocolate and so on is something most of us are probably capable of doing when we need to. But what some of us can't do at the moment is sleep. This is slightly problematic, as sleeping, besides being one of the best things that a bed is used for, is good for you. Lack of sleep leads to poor concentration, irritability, disorientation, and fatigue (no kidding!). One of the most common outcomes of lack of sleep is depression. One of the most common causes of lack of sleep is stress. So, given all the (really interesting and well written) articles in last week's Quid, I think this may be a timely topic.

Now, I'm sure you've all had this happen once in a while. You go to bed, but your brain feels a little busy. You start to think about school or work, then leap to thinking about what you haven't yet done for school or work. You begin to worry. Then you begin to stress. Then you begin to worry and stress about getting worried and stressed. Next thing you know, it's 4 a.m. and you are wide awake, and freaking out because you have so much to do the next (well technically same) day and you

cannot afford not to be sleeping. This lasts most of the night.

Never fear. Although sadly this is one problem that cannot be cured by chocolate (damn caffeine), there are other things to do. When you are lying in bed, not feeling tired, get up. Read a book or take a bath, but don't stay there tossing and turning and not sleeping. Your brain will begin to associate not sleeping with your bed which is definitely *not* what you want. Often if you go back to bed half an hour or so later, your body will be much more ready for sleep. Another thing to do is drink milk, preferably hot. Milk releases serotonin in your brain, which is a chemical you need to be sleepy (one of the reasons people can stay up all night on ecstasy is that their serotonin levels have been depleted so they don't feel tired). Taking a bath is nice and relaxing as well, especially if you pour something soothing into it, like lavender. If you are really getting stressed about stuff you have to do, get up and write a list. Often this will make you realize that there isn't as much that you have to do as you had previously thought. Also, I often find the very fact that it is on a list means it can get out of my head. When worries and thoughts are written down instead of buzzing around my brain, I don't have to worry about them anymore (I know the logic is sketchy, but your brain can be fooled in many weird and wonderful ways). Finally, the best thing

to do if you can't sleep is to change your situation completely. Go sleep on your spare bed, or set yourself up on the couch. It's amazing how often simply getting out of the space associated with not sleeping can then help you get tired, even though there is no way the couch is more comfortable than your bed. Generally, try and do something non-work related before going to bed to give your mind a chance to decompress. Read a book or watch T.V. for half an hour. You wouldn't have gotten much work done anyway, and it could seriously help you in falling asleep.

A note on sleeping and exams: many studies have shown that getting a good night's sleep before an exam is FAR more

beneficial to you than staying up and studying. That means you have a much better chance of doing well on the exam if you have slept and not gone over something than if you had spent the whole night cramming.

Ok, that's all from me until after the holidays. Break a neuron everyone on your exams. Eat well, sleep properly, don't forget to have fun and relax every once in a while, and most importantly, have a wonderful break. Oh, and everyone has an assignment from me: make sure that on one day over the holiday you take some time and do something completely and totally frivolous for yourself, like go to a spa or play Xbox 360 for a whole day. You deserve it! ■



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TORONTO MISSISSAUGA WATERLOO MONTRÉAL

MORALITY, POLICY AND THE MINIMUM WAGE

by John Haffner (Law III)

If you heard that a group of McGill Law students got together to discuss compensation issues, you would be justified in assuming that the discussion centered on boring comparisons of starting salaries at various law firms. It is easy to forget, once afflicted by law school myopia, that most other human beings have to worry about wages and salaries in a very different way. It was thus refreshing to engage in a meaningful discussion of minimum wage laws, and the empirical and normative assumptions underlying them, with law colleagues a couple of weeks ago.

The discussion took as its point of departure two articles: philosopher Ronald A. Cordero's "Morality and the Minimum Wage," and economist Richard B. Freeman's "The Minimum Wage as a Redistributive Tool." Whereas Cordero argues that a democratic country has a moral obligation to establish a minimum wage sufficient for its citizens to enjoy "a good life" in that country, Freeman investigates the effectiveness of minimum wage programs, and purports to find that "an appropriately set minimum [wage] can be a modestly effective redistributive tool in the United Kingdom and the United States."

Should the question of a minimum wage be decided on a *priori* normative grounds, as in Cordero's argument? That is, should we simply decide on principle that we want to pay

people a certain minimum amount based on some prior notion of justice? Or alternatively, as in Freeman's approach, should we decide that it is important to investigate whether a minimum wage is likely to succeed in achieving its desired effects, as well as examine any unintended consequences alongside these effects, before we endorse the principle and the amount? It seems clear that the two approaches should inform one another in any minimum wage debate.

It is striking, therefore, that Cordero utterly ignores the practical issue of whether his scheme is likely to succeed. And it is easy to think of why it would not: companies that objected to the excessive new burden of labour costs in the United States - he is not talking about a minimum wage, but a quite substantial increase in the minimum wage there - could decide to move elsewhere rather than pay the new wages, and the whole scheme would collapse. Not only does Cordero ignore this issue, he also dogmatically assumes that the moral case for wage improvements ought to be met by policy changes at the national level. But as philosopher Peter Singer argues, there is no good philosophical reason why we should care more about the well-being of people in proximity to us than people in other parts of the world.

To see the problem if Singer is right, suppose (suspending disbelief) that Cordero's

scheme is workable in the United States, but only by limiting the effects of wealth redistribution between the United States and other (poorer) countries. Singer would then ask: on what philosophical grounds do you, Cordero, privilege the relatively poor in the United States over the absolutely poor throughout the world? The opposition here might or might not be avoidable, but the point is that Cordero, for all the arrogance of his theoretical argument ("no rational benevolent being" could disagree) does not even see the possibility. By contrast, McGill economist and rational benevolent being Myron Frankman has developed some interesting arguments for why we should now be thinking in terms of a global income guarantee. (I forgot to mention Frankman in the discussion itself.)

Clearly, much depends on how we frame the issue. Perhaps inevitably, then, the discussion soon took a meta-turn: How should we define a good life? Is the dichotomy between normative and empirical approaches even useful, given that economists and others can bury their normative commitments under the guise of empirical findings? Nevertheless, we have to work with such categories as a way of focusing the terms of the debate and its very real consequences for working people.

While most of our discussion was wide-ranging and interdisciplinary, we also considered the concrete situation in Canada. cursory research suggests that Canadian courts defer to legislatures on the question of whether and how minimum wages should be set. To be sure, there are a number of older Supreme Court minimum wage cases,

but they turn on questions of appropriate jurisdiction for setting wages and do not go to the philosophical heart of the matter. Even with the advent of the Charter, the Supreme Court seems reluctant to mandate social policy and especially poverty alleviation measures (see *e.g.*, Chief Justice McLachlin's argument that a legislature is free to fund only those benefits it chooses in *Auton v. British Columbia*, [2004] 3 S.C.R. 657).

In a 2002 case, however, *Gosselin v. Quebec Attorney General*, [2002] 4 S.C.R., the Supreme Court considered whether a Quebec social assistance scheme violated ss. 7 and 15(1) of the Charter, as well as s. 45 of the Quebec Charter. At issue in the case was a Quebec social assistance scheme in force between 1984 and 1989. The scheme set the base amount of welfare payable to persons under the age of 30 at roughly one third of the base amount payable to those 30 and over; those under 30 could top up their payments through participation in education or work programs. Although the Supreme Court ruled that the impugned scheme did not infringe the relevant Canadian and Quebec Charter provisions, *Gosselin* is interesting because it shows how an argument for improved minimum wage protection in Canada - perhaps a minimum wage for a good life, à la Cordero - could be made. Drawing on the argumentative architecture in *Gosselin*, a social policy advocate could argue that there is a Charter basis for a minimum wage sufficient for a good life in Canada under s. 7, that laws should yield equal benefits in every part of the country under s. 15(1), and that ▶

there are further grounds in Quebec under ss. 45 and 46 of the Quebec Charter (s. 45 recognizes a right to "an acceptable standard of living," while s. 46, not addressed in *Gosselin*, provides that every working person has a right "to fair and reasonable conditions of employment.")

In the meantime, perhaps awaiting the chance to argue Cordero-style before the Supreme Court, social policy activists in Canada are left to employ other advocacy strategies. Over the last few decades, governments have signalled that they are less receptive to traditional advocacy, in which activists make unambiguous qualitative arguments for change. Influenced by neo-liberalism, perhaps, governments are now more persuaded by quantitative, evidence-based reports – and especially, they like reports that have the patina of neutrality, objectivity and so-called professionalism. Social activists have learned to play this game, so that they now mute their advocacy in more methodologically reassuring packages. But whether the working poor are better off in Canada as a result of this adaptive strategy – that is, whether they would be earning an even lower minimum wage if there had been more explicit protest on their behalf – is a weird but important question. ■

The foregoing article reflects a discussion that took place in my Law and Poverty class, and is submitted to the Quid as an academic requirement of that class.

Let us know what do you think of the new Quid!
quid.law@mail.mcgill.ca

THE SQUARE: Of precedent and things better left unsaid

by Nicholas Dodd (Law I)

On a day not too long past, while I was contemplating the meaning of life, the universe and everything (others may refer to this activity as procrastinating, but I prefer my expression), I began to speculate about the conversations I would soon be having over the holidays. Seems to me that I will be faced with a barrage of questions about all things law related from my hometown group of ne'er-do-wells. These questions will most likely range from the banal – "dude, can you get me out of my parking/speeding/public nudity ticket?" – to the discomfortingly profound – "so what role should/does/can law play in shaping our fundamental beliefs about society?" – or something to that effect.

Now, I must admit that in normal circumstances, when faced with such disquieting thoughts, I head directly for the nearest wine bottle and crank the rock'n'roll. On this particular evening, however, perhaps owing to the fact that the library was fresh out of a tasty malbec, I opted to run with this train of thought (or it chose to run with me – the exact relationship is still unclear). At any rate, my meanderings resulted in a terrifying exercise in conjecture that I believe should be considered by all of us lawyers-to-be. What if, and stay with me here, that common law standby of *stare decisis* applied to our own judgments in life?

Well perhaps the rest of you do not find this prospect horri-

fying (and I don't believe this for a minute by the way), as to date you've made the prudent decision at every twist and turn in life. I, on the other hand, would be in a bit of trouble. Honestly, who among us hasn't given in to the temptation, when out late on a warm summers eve and coming across a beautiful lake/ocean/fountain in the middle of Paris, to shed a few articles of clothing and jump right in? Now, if *stare decisis* were in effect, whenever faced with a similar fact pattern – (a) it's warm, (b) I've had a few drinks, (c) look, there's a fountain – you would be bound to take the same decision! I like a good wash as much as the next person, but such a practice could only go on so long before the authorities would start to take notice (trust me, you do not want that hassle).

This is to say nothing of the other binding precedents that would cause discomfort and possibly embarrassment. See, for example, *Feeling Ill v. Peer Pressure to Have Another Shot of Tequila*, *Intentions of Studying v. Very Convincing Speech About Why I Really Need to Go Out Tonight*, *Comfort of Couch v. Need to Clean Apartment*, or, if you really want to freak yourself out, consider the ratio from *Run! Run like Hell! v. I'm Sure that Nice Hell's Angels Gentlemen Just Wants to Chat*. And we have yet to even consider the case law surrounding significant others. Just think about having to continually apply the rule from

You Never Told Me We Had Plans Tonight v. Cold, Soulless Stare of an Unimpressed Female – I tell you, I think this *stare decisis* thing would get old in a big hurry.

So, if there is any lesson to be learned here (and I hope there is not – I try to keep these things as education-free as possible) it's that knowing how to distinguish fact patterns may be the most important skill you can develop. I'm already working on mine! You'll never see me get caught by that old rule from *I'm Really Hungry v. You Probably Shouldn't Eat that Pink Chicken Before an 18 Hour Bolivian Bus Ride* ever again.

With that I wish you all a happy, relaxing and cheerful holiday. Make the most of it: you never know when the Earth will be bulldozed to make way for a new intergalactic superhighway! (A holiday drink to the first person that can name the novel!) ■

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VIVE LA DIFFERENCE: What Is Your Commitment to Diversity?

by Albert Chen (Law II)

There were two more minutes left in my first ever on-campus recruitment interview before I took a deep breath and asked one last question.

"What is your firm's commitment to diversity?"

The interviewer paused, looked upwards past me, and then asked in a slightly confused voice, "what do you mean?"

Now it was my turn to be caught off guard because I too had trouble explaining what I wanted to know. I hadn't thought too much about the issue except that out of all the firms I was interviewing with that day, this firm seemed to reflect the least diversity in the profiles of its lawyers. Out of over a hundred lawyers, I could count the number of visible minorities on one hand; only one partner was a person of colour. Basically, everyone was White and I just wanted to know if the firm realized this and if there were aspects of diversity at their firm that I had missed.

"Well, I mean, does your firm take into account the diverse backgrounds of applicants, in hiring and obtaining partnership?"

She regained her composure and drew in a breath. "Our clients are all very diverse," she began her stream-of-consciousness explanation. "Two summers ago we had seven women and three men and

last summer we had seven men and three women, so it really depends on the year... we have a lot of trouble retaining women... law schools are more diverse nowadays and we expect that this will be reflected in whom we hire...we just look for the ten best applicants, but in terms of recruitment we don't consciously take those other things into account."

The lights above our makeshift cubicle flashed telling us that we only had a minute left in the 17-minute interview. She thanked me, handing over some complimentary firm gifts while escorting me out through the billowing blue curtains.

During the interview we talked and laughed with as much ease as is possible given that we were sitting in uncomfortable plastic chairs under time constraints dictated by the sound of a bell. I had done a lot of research on this firm, commenting on a couple of lawyers whom I knew of in other contexts and talking about some bland corporate interest of mine that matched well with one of their specialty practice groups. But when I left, I left with the words "we don't consciously take those other things into account" ringing in my ears. I thought flippantly to myself, 'so you're basically unconscious as a firm.'

I honestly didn't have a definite answer in mind when I asked the question. What I

knew was that she didn't give me a satisfactory answer. She just merely repeated "the standard excuse," that as a society becomes more diverse, that diversity will be naturally reflected in the institutions of society and the state. As long as law firms continue to recruit the best, some of those best will reflect the diversity of society: No state intervention, no affirmative action, no consciousness about identity, no need to 'consciously take those other things into account.' The supposed neutrality guarantees equality of opportunity. The presumption underlying the standard excuse is that everyone has the equal opportunity to pursue their dreams and achieve excellence with the same constraints.

If that's true and the only criterion is excellence, then why was this firm's composition still so homogenous? Perhaps people of colour, people with disabilities, or people who are queer, simply aren't up to scratch yet. Then why did other firms have better representation? Also, doesn't this sound like the same reasoning that kept women out of the profession for decades and that still causes barriers? Firms would say that they would hire women if they were qualified enough, but then turn around to say that they consequently found no women were qualified enough. Or they needed a woman to be overly qualified in order to compensate for other perceived weaknesses before they allowed her into their ranks.

What I didn't understand is why my interviewer immediately equated diversity with gender equality and nothing else. If she recognized the conscious need to increase the

number of women in a firm and the challenges of doing that, then why did she give the blanket standard excuse about everything else?

Perhaps the answer is that it was women who first made a noise about the old boys club. It was women who first fought to be included in the firms and to be dealt with on their own terms by demanding zero tolerance to sexism and sexual harassment and demanding the right to maternity leave. But some people today have forgotten that women didn't achieve their gains by accepting the presumption that they had equal opportunity: they saw barriers to employment and they fought to get a discussion going about why it was important to have women in the law firms.

Part of the problem is that the standard excuse fits so well with the mythology Canadians tell themselves about how diversity isn't an issue in a multicultural Canada that has avoided the deep racial divides that characterize the U.S. Perhaps this is why U.S. law firms have been on the forefront of implementing diversity committees, attending minority recruitment fairs, and setting up mentorship programs that pair associates with partners with a common interest or background. When you go on websites of large American firms, they will almost always have a page stating their commitment to diversity and the steps that they have taken to encourage that diversity. This is not the case with Canadian firms who are only now getting on track.

While overt discrimination might be on its way out, the numbers are still stark. In a 2004 study, the Alberta Law Foundation found that in ►

Alberta, 39 percent of women, 41 percent of people of colour, 28 percent of non-Christians, 40 percent of people with disabilities, and 40 percent of gays, lesbians and bisexuals who had responded to the survey reported that they had encountered discrimination in their law firms. Furthermore, a 2004 study by Queen's University sociology professor Fiona Kay found that persons of Caucasian and European background make up 85 percent of the Ontario legal profession.

The entire interview process is fraught with danger. When a firm tells you that you're not a good "fit," really what does that mean? Interviewers will choose candidates that they are most comfortable with, which usually are the ones with whom they identify most. And if the status quo is a Caucasian male paradigm, only those who subsume their identities to conform to that model will succeed. Even less subtly, the social rituals of the recruitment process serve to limit access. What happens at a firm wine and cheese when all you have is orange juice because you do not consume alcohol due to religious convictions? What if a partner asks if you want to go to the hockey game with the guys and you reply that you'd rather get season tickets to the Opera? What if you wear your Kirpan under your suit or a Turban to the interview? We would like to give firms the benefit of the doubt that they're genuinely interested in the best candidate and that identity will not be used against a candidate, but if the only criteria is the hyper-subjective 'fit' then there is no way of proving or disproving this except through looking that the actual composition of firms.

What then do we do to change firm culture so that they take diversity to be an important value? The importance of diversity has been already been recognized by law school admissions.¹ Having a diverse student body combats stereotypes, increases cross-cultural understanding, and better prepares students for an increasingly diverse workforce and legal profession. However, it should not be only up to the law schools to ameliorate under-representation. Many large corporations have taken up the cause, which is not surprising given that it is often motivation for profit that drives social progress. Demands from companies such as Coca-Cola, Merrill-Lynch and Prudential forced 60 New York law firms to provide a breakdown of their attorneys based on race, gender, ethnicity, and sexual orientation. Wal-mart U.S.A. has demanded that their firms' legal teams include at least one person from a minority and a woman. Businesses who work with firms are interested in diversity not only for public relations reasons, but because they recognize its strengths. These corporations recognize that innovation requires many different perspectives in approaching a problem.

In contrast, Canadian corporations or firms who argue the standard excuse have not taken up these initiatives. While concrete changes might not be immediate, we need to get out from under the blanket standard excuse and begin to openly talk about diversity in law firm recruitment; to challenge law firms to do better and to be, at the very least, 'conscious.'

This is the first article in an Educational Equity Committee series about equity in the law

school.

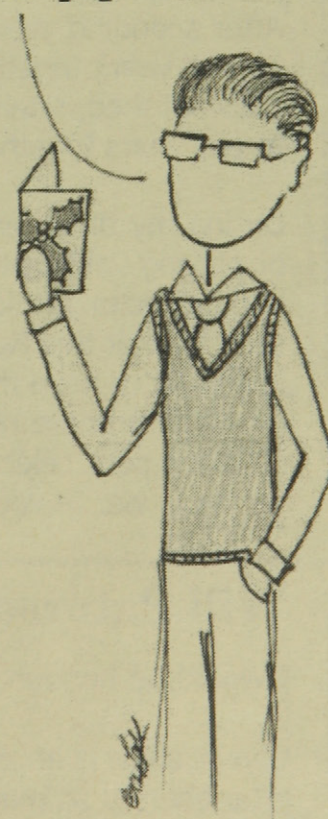
¹ In the 2003 U.S. Supreme Court decision *Bollinger vs. Grutter*, Grutter sued the Dean of the University of Michigan Law School on the basis that the law school's admission policy discriminated against her because she was White. While disapproving any type of rigid quota or point system, the Supreme Court upheld the admissions policy

because it took into account race, with special reference to the inclusion of underrepresented African-Americans, Hispanics, and Native-American students, as only one factor in addition to the standard academic criteria. In fact, diversity was not defined solely in terms of racial or ethnic status, and took into consideration many different types of diversity. ■

LES AVENTURES DU CAPITAINE CORPORATE AMERICA

par Laurence Bich-Carriere (Law II)

À votre avis, est-ce que
c'est trop sec comme vœu:
«Je vous souhaite, mais
ne peut aucunement garantir,
de très joyeuses fêtes»?



«C'est Noël car il neige dans
ma tête»

2005-2006

VALEDICTORIAN ELECTION

The following blurbs were submitted by students wishing to run for the position of 2005-2006 Valedictorian.

The subject was: "Why would you make a good valedictorian?" Given the delays associated with the publication of the Quid, this list might not be complete. The complete list will be posted next to the polling station.

ÉLECTION D'UN MAJOR DE PROMOTION

Les textes de présentation suivants ont été soumis par des étudiants désireux de se présenter comme major de promotion 2005-2005. Le thème était: "pourquoi feriez-vous un bon major de promotion?"

En raison des délais liés à la publication de la présente édition, cette liste n'est peut-être pas complète. La liste complète sera affichée près du bureau de vote.

Renée Darisse

I have never sugar coated my opinions, though I have learned to deliver them in an organized fashion. I have never been afraid to speak out in class, though I have hopefully learned the art of timing. I have tried to be honest at all times, because I have a great deal of respect for the students of this faculty and felt they deserved nothing less. My valedictorian address won't be presented any differently. No sappy pap, no sad bastard music. Just the truth...as I remember it.

*No picture
submitted*

Lindsey Miller

After spending years reviewing countless submissions to the Quid, who better to write the final editorial on our years together at this Faculty? I have been privileged to be a part of our phenomenal group of accomplished, intelligent and slightly kooky law students, and would be honoured to deliver the epilogue to our years together.

During my time here, I participated in as many activities as possible, from captaining intramural soccer or playing volleyball, working at the MLIC, editing the Quid, being a legal meth TL, and doing a moot, to band director at Skit Nite. In doing so, I met so many wonderful people doing incredible things during their time at this Faculty. I am amazed by what our class has accomplished, and I would consider myself fortunate to have the opportunity to reflect on what we've done and the people who made it all happen. Avant de prendre nos premiers pas sur la route de l'avenir, j'aimerais partager avec vous un moment de réflexion pour célébrer nos années ensembles et nos expériences inoubliables de l'apprentissage du droit –et de la vie. Je vous remercie toutes et tous pour votre appui, and I wish you all the best for the future.

Will Paterson

I would be honoured to be your class speaker.

Convocation is an extraordinary moment for everyone –where, for an instant, time stands still. Where, after sharing so much, both toil and happiness, we celebrate our collective achievement, and look to our future. We look to what this raw material can do –both for us and, more importantly, for our community. Convocation is a moment to take a measured look back on what has happened in our 3, 3 1/2 and 4 years at the Faculty.

I promise to speak to as many of you as possible to formulate a truly collective speech. Instead of just guessing at what I think you will find most appropriate.

